

Remarks/Arguments

Reconsideration of the above mentioned application is hereby requested in view of the above amendments and remarks which follow. Claims 44-73 remain in this application. Claims 54 and 69 have been canceled. Claims 44, 47, 55, 56, 58, 61, 70, 71 and 73 have been amended.

Claims 1-43 have been withdrawn as the result of an earlier restriction requirement. In view of the examiner's earlier restriction requirement, applicant retains the right to present claims 1-43 in a divisional application.

Claims 44, 47, 48, 59, and 60 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,093,481 to Lynn et al. Examiner states that Lynn discloses a liner panel having a structural polymer resin layer, citing reference character 22 of Lynn. While the applicants disagree with the characterization of Lynn, applicants have amended claim 44 to include the limitation that the method further provides a second structural polymer resin layer disposed coplanar to said barrier layer and disposed on the opposite side of said barrier layer in relation to said at least one structural polymer resin layer.

Lynn discloses a second layer (23) coplanar and adjacent to a first layer (22). Lynn does not disclose a second structural polymer resin layer disposed on the opposite side of a barrier layer in relation to at least one structural polymer resin layer. Lynn fails to disclose all of the claim limitations of amended claim 44 consistent with MPEP § 706.02(b)(B). Applicants believe that amended claim 44 is now in condition for allowance and respectfully request passage thereof. Claims 47, 48, 59 and 60 depend from amended claim 44. Applicants believe that claims 47, 48, 59 and 60 are also in condition for allowance.

Claims 45, 46, 49-52, 54-58, 61-67 and 69-73 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lynn. Claims 45, 46, 49-52 and 54-58 depend from amended claim 44. As stated previously, Lynn fails to disclose all of the claim limitations of amended claim 44 as required for a prima facie case of obviousness under MPEP § 2143.03. Applicants point the Examiner to paragraph [0069] of the specification to show the non-obvious benefit of a second structural polymer resin layer disposed coplanar to said barrier layer and disposed on the opposite side of said barrier layer in relation to said at least one structural polymer resin layer. The glass fibers embedded in the foundation layer 110 and 110a of laminate 201 provide strength characteristics in both the in-plane and transverse directions. [0069]. Therefore applicants believe

that claims 45, 46, 49-52 and 54-58 are also in condition for allowance and respectfully request passage thereof.

While the applicants disagree with the characterization of Lynn, applicants have amended claim 61 to include the limitation that the method further provides a second structural polymer resin layer disposed coplanar to said barrier layer and disposed on the opposite side of said barrier layer in relation to said at least one structural polymer resin layer. As previously argued, Lynn fails to disclose all of the claim limitations of amended claim 61 as required for a prima facie case of obviousness under MPEP § 2143.03. Therefore applicants believe that amended claim 61 is now in condition for allowance and respectfully request passage thereof. Claims 62-67 and 69-73 depend from amended claim 61. Applicants believe that claims 62-67 and 69-73 are also in condition for allowance.

Claims 53 and 68 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lynn in view of prior art to Lynn. The Lynn reference or prior art to the Lynn reference, either individually or in combination, does not disclose a second structural polymer resin layer disposed coplanar to said barrier layer and disposed on the opposite side of said barrier layer in relation to said at least one structural polymer resin layer. As previously argued, the references fail to disclose all of the claim limitations of amended claims 44 and 61 as required for a prima facie case of obviousness under MPEP § 2143.03. Claims 53 and 68 depend from amended claims 44 and 61, respectively. Applicants believe that claims 53 and 68 are also in condition for allowance.

Applicants believe that claims 44-73 are now in condition for allowance and respectfully request passage thereof. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Applicants further state that a one month extension of time in which to respond to the Final Office Action accompanies this Amendment.

In the event that there are any questions related to these amendments or to the application in general, the undersigned would appreciate the opportunity to address those questions directly in a telephone interview to expedite the prosecution of this application for all concerned.

Appl. No. 10/645,920
Amdt. dated January 11, 2007
Reply to Office action of Sept. 13, 2006

Respectfully submitted,

s/Eric J. Groen
Eric J. Groen, Reg. No. 32,230
BAKER & DANIELS LLP
300 North Meridian Street, Suite 2700
Indianapolis, IN 46204
Telephone: (317) 237-0300
Facsimile: (317) 237-1000
Email: inteas@bakerd.com